

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DANIEL STORM

Petitioner,

v.

Case No. 14-C-1037

U.S. PAROLE COMMISSION,

Respondent.

ORDER

Petitioner filed a petition for a writ of habeas corpus, seeking to prevent the Parole Commission from modifying his conditions to require 60 days of location monitoring.¹ I denied his emergency motion for a restraining order, as it appeared he had not yet exhausted administrative remedies, and the challenged condition had not been implemented. I ordered respondent to answer, and it moved to dismiss without prejudice for failure to exhaust. In reply, petitioner suggested that I suspend any decision until the Commission acted on his administrative appeal, which he believed it would do by October 18, 2014.

On October 23, 2014, petitioner renewed his request for a restraining order, suggesting that I deem his appeal denied based on lack of timely response. On October 24, 2014, in a second renewal, he indicated that he had now received a notice of action on his appeal. He further argued that he was the victim of retaliation because of his failure to cooperate in another case being prosecuted by the government in this district.

As it appears petitioner has now exhausted administrative remedies, I will deny

¹He also filed a habeas action challenging his continuance on special parole, Case No. 14-C-405.

respondent's motion to dismiss. I will further require a prompt response on the emergency renewal.²

THEREFORE, IT IS ORDERED that respondent's motion to dismiss (R. 7) is **DENIED**.

IT IS FURTHER ORDERED that respondent respond to the emergency renewal for restraining order and/or injunction on or before **November 3, 2014**.

Dated at Milwaukee, Wisconsin, this 27th day of October, 2014.

/s Lynn Adelman
LYNN ADELMAN
District Judge

²Respondent's answer in 14-C-405 is due by October 29, 2014.